

UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division

IN RE:)
) CASE NO. 09-36136-KRH
MICHAEL C. BURT)
) CHAPTER 13
)
Debtor(s))
_____)

KOMATSU FINANCIAL LIMITED PARTNERSHIP
Plaintiff

Vs.

MICHAEL C. BURT Debtor(s)

ANSWER TO MOTION FOR ORDER DISMISSING OR CONVERTING CASE
(Filed as a Motion for Relief on November 2, 2010)

Now comes the Debtor(s) in this matter, by counsel, and as and for Debtor(s)
Answer to the PLAINTIFF's Motion filed on November 2, 2010, says as follows:

1. That he admits the allegations contained in paragraphs 1, 2, 3 and 4 of Plaintiff's Motion.
2. He neither admits nor denies the allegations contained in paragraphs 5, 6, 7, 8, 9, 10, 11, 13 and 16 of Plaintiff's Motion.
3. He denies the allegation contained in paragraphs 12, 14 and 15 of Plaintiff's Motion and states that the amount due Komatsu under the Contracts is \$129,080.71 and that he has paid \$36,960.00 to the Trustee in his Chapter 13 case as of October 19, 2010.
4. That he has undertaken to cure the arrears in the case.

WHEREFORE, Debtor(s) respectfully move the Court that the Motion be denied.

Respectfully submitted:
MICHAEL C. BURT

BY: /s/ Linda D. Jennings
Counsel

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Certificate of Service

I certify that on November 8, 2010, I sent a true copy of the foregoing Answer by first class mail, postage prepaid, via electronic transmission, e-mail or fax to the following parties:

Lori M. Scott, Esquire
McGuire Woods LLP
One James Center
901 East Cary Street
Richmond, VA 23219
lscott@mcguirewoods.com

Robert E. Hyman, Chapter 13 Trustee
P. O. Box 1780
Richmond, VA 23219-1780

/s/ Linda D. Jennings
Linda D. Jennings